

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ
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Old File No. A5(2).GFL.CR-6/2018-19
E-office File No. KFD/HOFF/A5-2(GFL)/143/2019-FC

E - 100986
Date 11-01-2024

To,

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
M.S. Building, Bengaluru – 560 001

Sir,

Sub: Proposal for diversion of 221.80 ha of forest land for establishment of Wind Power Project in favour of M/s. KREDL for sub-lease to M/s Enercon (India) Limited on BOT basis in District Chitradurga, Karnataka. (Request for modification/change of condition Stage-II forest Clearance granted to wind power project (PF/KA/WIND/43786/2020) from existing lease grant of 15 years to 30 years).

Proposal No. FP/KA/WIND/43786/2020 [FORM-B]

- Ref:** 1. This office letter of even number dated 16-02-2023 [seeking renewal of lease], 01-04-2023 [submit the comment to GOK] and 01-06-2023 [communication of GOI EDS query to filed officers through email].
2. Government of India, Ministry of Environment, Forests (Forest Conservation Division), New Delhi letter No. 8-84-2002-FC dated 30-05-2023 [EDS query].
3. Deputy Conservator of Forests, Chitradurga Division, letter No. A6/Windmill/221.80/43786/CR-2/2020-21 dated 23-06-2023 [reply submitted to Chief Conservator of Forests, Ballari Circle].
4. Chief Conservator of Forests, Ballari Circle letter No.M1/MNG/Windmill/CR-6/2002-03 dated 28-06-2023 [reply submitted to this office].

With reference to the above subject, vide Ref (1), this office had submitted the above-mentioned proposal to Government of Karnataka seeking renewal of proposal under Section 2 of Forest (Conservation) Act, 1980. The project was discussed in the Forest Advisory Committee in its meeting held on 18-05-2023. The FAC has made

certain observations and communicated the same vide letter dated 30-05-2023 mentioned at Ref (2) above.

Based on the reports submitted by the User Agency and Field officers, reply to the observation is submitted herewith.

Sl. No.	GOI EDS query dated 13-05-2023	Reply
1	<p>The Proposal in present proposition cannot be acceded to. However, the State Govt. may submit detailed proposal for regularization and prior approval of the Central Govt. for renewal of the lease</p>	<p>The Renewal of FC lease proposal (FP/KA/WIND/ 43786/2020) has been verified by this Office and recommended to the Government of Karnataka vide this office letter dated 16-02-2023 based on the recommendation of the field officers.</p> <p>The Details of the proposal obtained from the field officers and the present status (Timeline) of the proposal obtained from the web portal are enclosed as ANNEXURE I.</p>
2	<p>The State Govt. shall submit the details regarding the extension of the permission granted to operate the windmills beyond 15 years, and provide justification why this should not be considered as violation of FCA, 1980 and action taken in this regard as per the Act.</p>	<p>KREDL had applied to Government of Karnataka for Forest clearance for establishing wind mills for 30 years in Chitradurga district. However, Government of Karnataka had recommended for a period of 15 years. Accordingly, Government of India has accorded stage-II approval for a period of 15 years on 02-04-2003. The lease expired on 19-06-2018.</p> <p>The subsequent amendment to the Forest (Conservation) Guidelines were made in 2004, whereby the period of lease in case of windmills was changed from 15 years to 30 years. However, this amendment did not apply to the above lease, as no representation was received in this office from the user agency.</p> <p>In this regard, the orders for closure of the wind mills by the then Deputy Conservator of Forests, Chitradurga, is not available.</p>

	<p>After the expiry of the Forest Clearance in 19-06-2018, a letter was written by the Deputy Conservator of Forests, Chitradurga, to BESCOM on 04-01-2019 to hold back the amount payable to the company.</p> <p>Based on the Company's representation dated 05-01-2019, the Government of Karnataka (Energy Department), vide letter dated 25-01-2019, has directed this office to take action as per rules for permitting maintenance of machines.</p> <p>Further, M/s Wind World (India) Ltd, vide letter dated 05-06-2020, once again requested this office to issue directions to DCF Chitradurga, to permit them to start the wind mills stating that if the wind mills are not worked for long time, the machines will get damaged. Further, they have submitted that revenue generated from existing wind mills are required for proper maintenance of these machines and hence they have requested to inform the BESCOM to release the revenue.</p> <p>Thereafter, permission was granted by the then Principal Chief Conservator of Forests (Head of Forest Force) as follows: -</p> <p><i>It is felt that the government interest under Forest (Conservation) Act, 1980 can be safeguarded if the Bangalore Electricity Supply Company (BESCOM) withholds the revenue likely to be shared with the User Agency for the power generation to the tune of approximately Rs. 370.00 lakh as per a tentative estimation. If so, the windmills can be permitted to be run so that there is no disruption of power generation and minimum required maintenance of the machines can be permitted.</i></p>
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		<p><i>Under the above circumstances, the following orders are issued on 24-07-2020 and 11-08-2020:-</i></p> <ul style="list-style-type: none"><i>• To Permit the User Agency to undertake the minimum maintenance of the windmills to keep them running, and,</i><i>• To inform the BESCO to withhold an amount of Rs. 370.00 lakh from the power revenue due to User Agency till proper clearance under the Forest (Conservation) Act, 1980 is in place.</i> <p>PCCF (HOFF) wrote another letter to BESCO on 07-11-2020 to withhold the amount of Rs. 370 lakhs, and remaining balance amount, if any, may be released. Further, to retain 10 % of the amount payable towards power purchase from future bills and remaining 90 % to be released to the User Agency till FC lease is extended.</p> <p>The User Agency has submitted the online renewal applications on 06-07-2018 and 15-11-2019 respectively, but they were found to be incomplete. Hence, they were returned by the Nodal Officer. The renewal online proposal was again submitted on 09-01-2020. The same was verified and accepted by the Nodal officer on 07-03-2020 and online link was transferred to DCF Chitradurga on 22-05-2020 for further processing of the proposal.</p> <p>APCCF (WL) and Nodal Officer who was in charge for Ballari Circle brought it to the notice of the PCCF (FC) & Nodal Officer regarding the running of the above windmills in Chitradurga District under the orders of PCCF (HOFF) dated 24-07-2020.</p>
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		<p>PCCF (FC) & Nodal Officer called for a meeting immediately under the Chairmanship of PCCF (HOFF) on 07-05-2022, wherein PCCF (FC), APCCF (WP), APCCF (CAMP), APCCF (Legal Cell), APCCF (NEP & BM), APCCF (Wildlife and Nodal Officer Ballari) APCCF (Administration and Coordination) and CCF Bengaluru (Ex CCF Ballari) were present. In the meeting it was decided to direct the CCF Ballari Circle to immediately suspend the operations of the windmills till further orders, as even after considerable lapse of time, the complete FC proposal has not reached this office for onward submission to the Government of India and to contact the BESCO for withholding all further payments (copy of the proceedings is enclosed as ANNEXURE II).</p> <p>Accordingly, orders were issued by PCCF (HOFF) on 07-05-2022 (copy enclosed as ANNEXURE III). The operation of the windmills was suspended on 07-05-2022 by the DCF Chitradurga Division (Copy enclosed as ANNEXURE IV).</p> <p>In this regard User Agency approached the National Company Law Tribunal, Ahmedabad, Division Bench and filed IA/473(AHM)2022 in CP(IB) 14 of 2018 regarding suspension of the operations of the windmills. The National Company Law Tribunal directed this office to permit the operations of the wind turbines in Karnataka which were operated and maintained by Wind World (India) Limited.</p> <p>The Government of Karnataka approached the Hon'ble High Court of Karnataka against the order passed on 06-07-2022 by</p>
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		<p>the National Company Law Tribunal, Ahmedabad, Division Bench.</p> <p>The Hon'ble High Court of Karnataka, vide order dated 13-04-2023, quashed the order of the National Company Law Tribunal, Ahmedabad Division and stated that <i>"the tribunal could not have acted as constitutional court to suspend the order or the proceedings of the State Government and permit functioning of the of the Windmill. All these are powers vested in the constitutional Courts and not the tribunal. The law in this regard is very clear that if there are statutory clearances to be given, those clearances cannot be given a go by by an order of the tribunal. He would contend that the order of the Tribunal is one without jurisdiction and, therefore, the state need not approach the appellate tribunal against the impugned order, as an order which is without jurisdiction is a nullity in law"</i></p> <p><i>Further, Impugned order dated 06-07-2022 passed by the National Company Law Tribunal, Ahmedabad Division stands quashed. Consequently, IA No.1 of 2023 also stands disposed.</i></p> <p>Conclusion: -</p> <ul style="list-style-type: none">• The windmills are already established and the area is already broken up.• It is also observed that there was a subsequent amendment to the Forest (Conservation) Guidelines in 2004, whereby the period of lease instead was increased from the existing 15 years to 30 years. However, this amendment was not applied to the above lease as no representation was
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		<p>received in this office from the user agency for further processing.</p> <ul style="list-style-type: none"> • The order of the PCCF (HoFF) dated 24-07-2020 and 11-08-2020 permitted the User Agency to undertake the minimum maintenance of the windmills to keep them running, to avoid disruption of power generation and at the same time for safeguarding the interest of the Government. It was informed to the BESCOM to withhold an amount of Rs. 370.00 lakhs from the power revenue due to the User Agency till proper clearance under the Forest (Conservation) Act, 1980 is in place. • In view of the above, the permission granted to operate the windmills by the PCCF (HOFF) vide order dated 24-07-2020 and 11-08-2020 beyond 15 years may not be considered as violation of the Forest (Conservation) Act, 1980. <p>However, the user agency has violated the Forest (Conservation) Act, 1980 by utilizing additional forest land i.e 45.272 ha outside the leased area [The total area allocated to the user agency was 221.80 ha, out of which 176.528 ha was utilized within the lease area and 45.272 ha was outside the lease area].</p> <p>In addition, the user agency has utilized an area of 35.082 ha within the approved lease area but has deviated from the original land use. The total area utilization by the user agency remains 221.80 ha.</p> <p>Hence, appropriate penalty may be imposed for the above-mentioned encroachment and deviations as has been</p>
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		<p>done in other cases in the past vide orders Nos. 4-KRC185/2006-BAN/1701 dated 09-03-2019, 4-KRC184/2006-BAN/1699 dated 09-03-2019, 4-KRC182/2006-BAN/1700 dated 09-03-2019 and 4-KRC188/2006-BAN/1697 dated 09-03-2019 in Hassan District.</p> <p>At present, BESCOM is holding Rs 6.91 crore on behalf of Karnataka Forest Department which can be adjusted towards the penal charges as and when levied.</p>															
3	The CA Land identified with respect to the instant proposal shall be declared as RF/PF within three months	<p>The details of equivalent non-Forest land identified in Chitradurga district by User Agency for Compensatory afforestation details are as follows.</p> <table border="1"> <thead> <tr> <th>Village & Taluk</th> <th>Sy No.</th> <th>Area in ha.</th> </tr> </thead> <tbody> <tr> <td>Thodarnal, Holalkere</td> <td>16,19</td> <td>140.22</td> </tr> <tr> <td>T.Nulenu, Holalkere taluk</td> <td>46, 50 & 51</td> <td>34.22</td> </tr> <tr> <td>Yelukurnahalli, Chitradurga taluk</td> <td>21</td> <td>47.57</td> </tr> <tr> <td colspan="2">Total</td> <td>222.01 ha</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Total 222.01 Ha of non-forest land is mutated in favour of the Forest Department. The Details of CA land information, maps and KML file in CD are enclosed as Annexure-I. The plantation has been raised over an extent of 222.01 ha. <p>Further, the Government of Karnataka vide Notification No. FEE 151 FAF 2013 dated 17-12-2013 has notified an extent of 173.7 ha of CA land under section 4 of the Karnataka Forest Act. The Details are enclosed as Annexure-IA.</p> <p>The Government of Karnataka vide order No FEE FAF 2023 dated 20-12-2023 has declared an extent of 47.57 Ha in Sy No.21 of</p>	Village & Taluk	Sy No.	Area in ha.	Thodarnal, Holalkere	16,19	140.22	T.Nulenu, Holalkere taluk	46, 50 & 51	34.22	Yelukurnahalli, Chitradurga taluk	21	47.57	Total		222.01 ha
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Yelukurnahalli, Chitradurga taluk	21	47.57															
Total		222.01 ha															

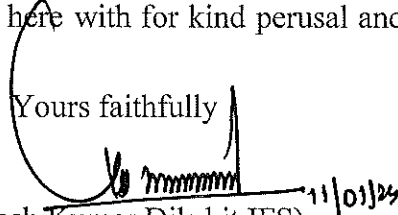
		Yelukurnahalli Village, Aimangala Hobli, Hiriyur Taluk, Chitradurga District as Protected Forest under section 33 of Karnataka Forest Act 1963. The details are enclosed as ANNEXURE-II.
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This office vide letter dated 16-02-2023 has submitted the FC renewal proposal to the Government of Karnataka. The revised final renewal proposal is hereby enclosed.

In view of the above, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi for seeking renewal of lease under the Van (Sanrakshan Evam Samvardhan). Adhiniyam, 1980 for the project.

The relevant documents in 3 sets are submitted here with for kind perusal and further action.

Yours faithfully


((Brijesh Kumar Dikshit IFS) 11/01/24
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and needful action.

Copy to the Deputy Conservator of Forests, Chitradurga Division information and needful action.

Copy to the M/s Wind World (India) Ltd, Wind World Tower, Plot No, 49, Veera industrial area, Veera Desai Road, Andheri (West), Mumbai 400 053 information and needful action.

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GOVERNMENT OF KARNATAKA

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Old File No. A5(2).GFL.CR-6/2018-19

E - 100986

E-office File No. KFD/HOFF/A5-2(GFL)/143/2019-FC

Date 10-01-2024

To,

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
M.S. Building, Bengaluru – 560 001

Sir,

Sub: Request for modification/ change of condition Stage-II forest Clearance granted to Wind Power Project (FP/KA/WIND/43786/2020) from existing lease grant of 15 years to 30 years.

And

Proposal for diversion of 221.80 ha of forest land for establishment of Wind Power Project in favour of M/s. KREDL for sub-lease to M/s Enercon (India) Limited on BOT basis in District Chitradurga, Karnataka. (Request for modification/change of condition Stage-II forest Clearance granted to wind power project (PF/KA/WIND/43786/2020) from existing lease grant of 15 years to 30 years).

Proposal No. FP/KA/WIND/43786/2020 [FORM-B]

- Ref:**
1. This office letter of even number dated 16-02-2023 [seeking renewal of lease] 18-03-2023 [communication of GOI EDS query].
 2. Government of India, Ministry of Environment, Forests Integrated Regional office, Bengaluru letter No. FCA/11.3/146/KAR/MISC/1309 dated 13-02-2023 [EDS query].
 3. Government of Karnataka letter No. FEE 26 FFM 2023 (e) dated 14-03-2023 [communication of GOI EDS query].
 4. M/s Wind World (India) Limited, Mumbai letter dated 17-04-2023 [reply submitted to DCF Chitradurga Division].
 5. Deputy Conservator of Forests, Chitradurga Division, letter No. A6/Windmill/221.80/43786/CR-2/2020-21 dated 19-06-2023 [reply submitted to Chief Conservator of Forests, Ballari Circle].

6. Chief Conservator of Forests, Ballari Circle letter No.M1/MNG/Windmill/CR-6/2002-03 dated 28-06-2023 [reply submitted to this office].

With reference to the above subject, vide Ref (1), this office had submitted the above-mentioned proposal to Government of Karnataka seeking renewal of proposal under Section 2 of the Forest (Conservation) Act, 1980. Meanwhile, Government of India, vide Ref (2) had raised EDS query and requested to submit details of CA carried out along with KML files, status of its notification as PF/RF and details of compliance of other stipulated conditions. Accordingly, the Government of Karnataka, vide Ref (3) had forwarded the same to this office.

This office, vide Ref (1) dated 18-03-2023, had communicated the Government of India EDS query to the field officers and User Agency.

In response, the User Agency, vide Ref (3) has submitted the information to the Deputy Conservator of Forests, Chitradurga Division, who, after verification, vide Ref (5) has submitted the same to the Chief Conservator of Forests, Ballari Circle and who in turn, vide Ref (5), has submitted it to this office. Based on the reports obtained from the User Agency and the field officers, the information is as follow.

Sl. No.	Government of India EDS query	Reply															
Information to letter No. 8-84/2002-FC dated 02-04-2003																	
1	The legal status of forest land shall remain unchanged.	Legal Status of the land remains unchanged.															
2	Compensatory afforestation shall be raised over equivalent non-forest land at the project cost.	<p>The details of equivalent non-forest land identified in Chitradurga district by the User Agency for Compensatory afforestation, are as follows: -</p> <table border="1"> <thead> <tr> <th>Village and Taluk</th> <th>Sy No.</th> <th>Area in ha.</th> </tr> </thead> <tbody> <tr> <td>Thodarnal, Holalkere</td> <td>16,19</td> <td>140.22</td> </tr> <tr> <td>T.Nulenur, Holalkere taluk</td> <td>46, 50 & 51</td> <td>34.22</td> </tr> <tr> <td>Yelukurnahalli, Chitradurga taluk</td> <td>21</td> <td>47.57</td> </tr> <tr> <td colspan="2" style="text-align: center;">Total</td> <td>222.01 ha</td> </tr> </tbody> </table> <ul style="list-style-type: none"> The 222.01 Ha of non-forest land is mutated in favour of the Forest Department. The details of CA land information, maps and KML file in CD are enclosed as Annexure-I. 	Village and Taluk	Sy No.	Area in ha.	Thodarnal, Holalkere	16,19	140.22	T.Nulenur, Holalkere taluk	46, 50 & 51	34.22	Yelukurnahalli, Chitradurga taluk	21	47.57	Total		222.01 ha
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Total		222.01 ha															

		<ul style="list-style-type: none"> Plantation has been raised over an extent of 222.01 ha.
3	The non-forest land transferred to Forest department for compensatory afforestation shall be declared Protected Forest/Reserved Forest under Indian Forest Act, 1927.	<p>As mentioned in SI no.2 the 222.01 ha of non-forest land for Compensatory Afforestation is mutated in favour of Forest Department.</p> <ul style="list-style-type: none"> Further, the Government of Karnataka vide Notification No.FEE 151 FAF 2013 dated 17-12-2013 has notified an extent of 173.7 ha of CA land under section 4 of the Karnataka Forest Act. The details are enclosed as Annexure-IA. The Government of Karnataka, vide order no FEE FAF 2023 dated 20-12-2023, has declared an extent of 47.57 Ha in Sy No.21 of Yelukurnahalli Village, Aimangala Hobli, Hiriyur Taluk, Chitradurga District as Protected Forest under section 33 of Karnataka Forest Act 1963. The details are enclosed as ANNEXURE-II.
4	It shall be ensured that wind farm is erected/designed in such a manner to avoid future damage due to high velocity winds, so that adjoining vegetation is not damaged.	The height of the windmill is maintained around 50 meters. The vegetation around the windmill is stunted and deciduous in nature. The windmill height is sufficiently high and may not cause any damage to the adjoining vegetation. The Photographs are enclosed as Annexure-III .
5	The forest land shall not be used for any purpose other than that specified in the proposal.	Undertaking copy is enclosed as Annexure IV .
6	The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environmental Protection Act, 1986 if applicable.	Undertaking copy is enclosed as Annexure V .
7	Any other conditions that the State Govt. or the Chief Conservator of forests (Central), Regional office, Bangalore may impose from time to time in the interest of afforestation and protection of Forests.	Undertaking copy is enclosed as Annexure-VI

Information to additional conditions of letter No. F(C)A/11.3/145/KAR/MISC/1065 dated 28-07-2004

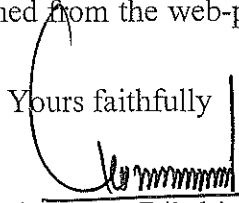
8	The intervening areas between two windmill foot prints shall be planted with dwarf tree species at the project cost. The State Govt. shall also consider developing medicinal plant gardens in available gaps in wind farms with possible help from National Medicinal Plant Board at user agency's cost.	<p>The User Agency has not paid the charges for medicinal plants or dwarf plants. As the intervening area has windmill components such as platform, transmission lines, Vacuum Circuit breaker yard, Control room, internal roads for repairs and maintenance and the area is very rocky & not suitable for plantations, hence, medicinal and dwarf tree plantation are not raised on the Project site.</p> <p>However, the User Agency has submitted an undertaking to take up the planation in future.</p> <p>The proceedings of the Meeting held on 04.04.2014 in the Chairmanship of ACS (Forest Ecology & Environment Department), Government of Karnataka, to discuss issues relating to the plantation, it is stated that development of medicinal plant garden/ planting of dwarf species of trees should be taken up wherever feasible (enclosed as Annexure-VIII).</p>
9	Soil and moisture conservation measures like contour trenching shall be taken up on the hillocks supporting the wind mill at the cost of user agency	<p>The amount towards the Soil Moisture Conservation measures have been remitted by the User Agency through CAMPA account.</p> <p>The details regarding the same are enclosed as ANNEXURE-IX.</p>
10	Adequate fire protection measures, including employment of fire watchers and maintenance of fire lines etc. shall be undertaken by the user agency in the project area at its own cost	<p>Fire protection measures such as development and maintenance of fire lines are being carried out by the User Agency every year. Some representative images are attached showing before and after scenario.</p>
11	Stabilization of soil, boulders etc. of road cut through breast wall / retaining wall shall be taken up by the user agencies.	<p>After the establishment of project in the year 2003, there is no construction of breast wall / retaining wall in the project site as the area was already stabilized. In this regard the User Agency has submitted images, and the same is enclosed as ANNEXURE-X.</p>
12	Proper drainage along with the approach roads shall be provided.	<p>Proper trenches have been carried out by the user agency along the approach road for draining of the surface water wherever found necessary. The drains have been cleaned and maintained before monsoon every year. The photographs are enclosed as ANNEXURE-XI.</p>
13	The vane tips of the Wind turbine may be painted with	<p>Vane tips are painted in orange colour. The same may require repainting every 15 years. In this regard user agency</p>

orange colour as and when maintenance works of rotors are undertaken in future.	has submitted an undertaking which is enclosed as. ANNEXURE-XII.
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In view of the above, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi for seeking renewal of lease under the Van (Sanrakshan Evam Samvardhan). Adhiniyam, 1980 for the project.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours faithfully


((Brijesh Kumar Dikshit IFS) 11/01/24)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and needful action.

Copy to the Deputy Conservator of Forests, Chitradurga Division for information and needful action.

Copy to the M/s Wind World (India) Ltd, Wind World Tower, Plot No, 49, Veera industrial area, Veera Desai Road, Andheri (West), Mumbai 400 053 for information and needful action.

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Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ
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Date 11-01-2024

To,


The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
M.S. Building, Bengaluru – 560 001

Sir,

Sub: Renewal of FC lease of 221.80 hectare of forest land in Jogimatti and Marikanive RF [Lakkihalli, Mykenahalli and nine (9) other villages] in Hosadurga, Hiriyuru, Holalakere and Chitradurga Taluks of Chitradurga District for already established Wind Power Project in favour of Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited [presently M/s Wind World (India) Limited] on BOT basis.

Proposal No. FP/KA/WIND/43786/2020 [FORM-B]

- Ref:**
1. Government of India, Ministry of Environment, Forests F.C Division, New Delhi letter No. F.No 8-84/2002-FC dated 02-04-2003 [Stage-II approval]
 2. Government of Karnataka Order No. FEE 99 FGL 2001 dated 20-06-2003 [formal sanction of forest diversion]
 3. This office letter of even number dated 11-07-2003 [communicate the Stage-II approval to field officers and directed to execute an agreement]
 4. Online FC application [FORM-B PART-I] dated 09-01-2020 (submitted) of M/s Wind World (India) Limited and uploading of Acknowledgment on 16-05-2020 for having delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 5. This office online communication dated 22-05-2020 to Deputy Conservator of Forests, Chitradurga Division for further processing.
 6. Online submission of PART-II on 27-06-2021 by the Deputy Conservator of Forests, Chitradurga Division r/w online reply dated 29-12-2022 of User Agency to EDS query.
 7. Online submission of PART-III on 30-12-2021 by the Chief Conservator of Forests, Ballari Circle r/w online reply dated 30-


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12-2022 of Deputy Conservator of Forests to EDS Query [Letter No. M1/MNG/Windmill/CR-6/2002-03/1839 dated 09-12-2022].

8. Deputy Conservator of Forests, Chitradurga Division, letter No. A6/Windmill/221.80/43786/CR-2/2020-21 dated 23-06-2023 [submitted to Chief Conservator of Forests, Ballari Circle].
9. Chief Conservator of Forests, Ballari Circle letter No.M1/MNG/Windmill/CR-6/2002-03 dated 28-06-2023 [submitted to this office].

1. Background: The Government of India vide Ref (1), this office had accorded the final (Stage-II) approval for diversion of 221.80 ha of forest land for establishment of Wind power project in favour of M/s KREDL for sub lease to M/s Enercon (India) Ltd. On BOT basis in Chitradurga District, Karnataka subject to certain conditions. Accordingly, the Government of Karnataka vide Ref (2), had accorded sanction for the forest lease for the above project for a period of 15 years. The FC lease period ended on 19-06-2018.

- KREDL had applied to Government of Karnataka for Forest clearance for establishing wind mills for 30 years in Chitradurga district. However, Government of Karnataka had recommended it for a period of 15 years. Accordingly, Government of India has accorded stage-II approval for a period of 15 years on 02-04-2003. The lease expired on 19-06-2018.
- The subsequent amendment to the Forest (Conservation) Guidelines were made in 2004, whereby the period of lease in case of windmills was changed from 15 years to 30 years. However, this amendment did not apply to the above lease, as no representation was received in this office from the user agency.
- In this regard, the orders for closure of the wind mills by the then Deputy Conservator of Forests, Chitradurga, is not available.
- After the expiry of the Forest Clearance in 19-06-2018, a letter was written by the Deputy Conservator of Forests, Chitradurga to BESCOM on 04-01-2019 to hold back the amount payable to the company.
- Based on the Company's representation dated 05-01-2019, the Government of Karnataka (Energy Department), vide letter dated 25-01-2019, has directed this office to take action as per rules for permitting maintenance of machines.
- Further, M/s Wind World (India) Ltd, vide letter dated 05-06-2020, once again requested this office to issue directions to DCF Chitradurga, to permit them to start the wind mills stating that if the wind mills are not worked for long time, the machines will get damaged. Further, they have submitted that revenue generated from existing wind mills are required for proper maintenance of these machines and hence they have requested to inform BESCOM to release the revenue.
- Thereafter, permission was granted by the then Principal Chief Conservator of Forests (Head of Forest Force) as follows: -

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It is felt that the government interest under Forest (Conservation) Act, 1980 can be safe guarded if the Bangalore Electricity Supply Company (BESCOM) withholds the revenue likely to be shared with the User Agency for the power generation to the tune of approximately Rs. 370.00 lakh as per a tentative estimation. If so, the windmills can be permitted to be run so that there is no disruption of power generation and minimum required maintenance of the machines can be permitted.

Under the above circumstances, the following orders are issued on 24-07-2020 and 11-08-2020:-

- 1. To Permit the User Agency to undertake the minimum maintenance of the windmills to keep them running, and,*
 - 2. To inform the BESCOM to withhold an amount of Rs. 370.00 lakh from the power revenue due to User Agency till proper clearance under the Forest (Conservation) Act, 1980 is in place.*
- PCCF (HOFF) wrote another letter to BESCOM on 07-11-2020 to withhold the amount of Rs. 370 lakhs, and remaining balance amount, if any, may be released. Further, to retain 10 % of the amount payable towards power purchase from future bills and remaining 90 % to be released to the User Agency till FC lease is extended.
 - The User Agency has submitted the online renewal applications on 06-07-2018 and 15-11-2019 respectively, but they were found to be incomplete. Hence, they were returned by the Nodal Officer. The renewal online proposal was again submitted on 09-01-2020. The same was verified and accepted by the Nodal officer on 07-03-2020 and online link was transferred to DCF Chitradurga on 22-05-2020 for further processing of the proposal.
 - APCCF (WL) and Nodal Officer who was in charge for Ballari Circle brought it to the notice of the PCCF (FC) & Nodal Officer regarding the running of the above windmills in Chitradurga District under the orders of PCCF (HOFF) dated 24-07-2020.
 - PCCF (FC) & Nodal Officer called for a meeting immediately under the Chairmanship of PCCF (HOFF) on 07-05-2022, wherein PCCF (FC), APCCF (WP), APCCF (CAMPA), APCCF (Legal Cell), APCCF (NEP & BM), APCCF (Wildlife and Nodal Officer Ballari) APCCF (Administration and Coordination), and CCF Bengaluru (Ex CCF Ballari) were present in the meeting it was decided to direct the CCF Ballari Circle to immediately suspend the operations of the windmills till further orders, as even after considerable lapse of time, the complete FC proposal has not reached this office for onward submission to the Government of India and to contact BESCOM for withholding all further payments (copy of the proceedings is enclosed as ANNEXURE II).

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- Accordingly, orders were issued by PCCF (HOFF) on 07-05-2022 (copy enclosed). The operation of the windmills was suspended on 07-05-2022 by the DCF Chitradurga Division (Copy enclosed as ANNEXURE III).
- In this regard User Agency approached the National Company Law Tribunal, Ahmedabad, Division Bench and filed IA/473(AHM)2022 in CP(IB) 14 of 2018 regarding suspension of the operations of the windmills. The National Company Law Tribunal has directed this office to permit the operations of the wind turbines in Karnataka which were operated and maintained by Wind World (India) Limited.
- The Government of Karnataka approached the Hon'ble High Court of Karnataka against the order passed on 06-07-2022 by the National Company Law Tribunal Ahmedabad, Division Bench.
- The Hon'ble High Court of Karnataka, vide order dated 13-04-2023, quashed the order of the National Company Law Tribunal, Ahmedabad Division and stated that *"the tribunal could not have acted as constitutional court to suspend the order or the proceedings of the State Government and permit functioning of the of the Windmill. All these are powers vested in the constitutional Courts and not the tribunal. The law in this regard is very clear that if there are statutory clearances to be given, those clearances cannot be given a go by by an order of the tribunal. He would contend that the order of the Tribunal is one without jurisdiction and, therefore, the state need not approach the appellate tribunal against the impugned order, as an order which is without jurisdiction is a nullity in law"*
- *Further, Impugned order dated 06-07-2022 passed by the National Company law Tribunal, Ahmedabad Division stands quashed. Consequently, I.A No.1 of 2023 also stands disposed.*

2. **Additional Information on change of Name of the User Agency:** The Government of India, Ministry of Corporate Affairs has certified that Enercon (India) Ltd, which was originally incorporated on Twenty second day of May two thousand three under the Companies Act, 1956 (No 1 of 1956) as Enercon (India) Ltd having duly passed the necessary resolution in terms of section 21 of the companies Act, 1956 read with Government of India, Department of Company affairs, New Delhi, Notification No GSR 507 € dated 24-06-1985 vide SRN B64732787 dated 01-01-2013 the name of the said company changed to Wind World (India) Limited. However, the User Agency has not obtained the transfer of name change from M/s Enercon (India) Ltd to M/s Wind World (India) Ltd as per Guidelines of Forest (Conservation) Act 1980. Hence, **User Agency is being instructed to change the name from M/s Enercon (India) Ltd to M/s Wind World (India) Ltd.**

3. Further, Hon'ble National Company Law Tribunal (NCLT), Ahmedabad, has ordered the commencement of a corporate insolvency resolution process against

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Wind World (India) Ltd. under the insolvency and Bankruptcy Code 2016 on 20-02-2018.

4. In the meantime, M/s Wind World (India) Ltd, Wind World Towers, Veera Industrial Estate, Veera Desai Road, Andheri (West) Mumbai [USER AGENCY in the present proposal] vide Ref (3) has (re)submitted a proposal (FORM-B PART-I) through FC web portal on 09-01-2020 seeking renewal of FC lease involving diversion of 221.80 hectare of forest land in Jogimatti and Marikanive RF [Lakkiahalli, Mykenahalli and nine (9) other villages] in Hosadurga, Hiriyuru, Holalakere and Chitradurga Taluks of Chitradurga District for already established Wind Power Project for approval under Section 2 of the Forest (Conservation) Act, 1980. The same was accepted by the Nodal Officer (FCA) on 07-03-2020 for further processing under the Act. After receiving the online Acknowledgement from the User Agency on 16-05-2020 for having delivered the hard copies of proposal to the Deputy Conservator of Forests, Chitradurga Division, the online link was forwarded to the Deputy Conservator of Forests, Chitradurga Division on 22-05-2020 for field verification and further processing under the Forest (Conservation) Act, 1980.
5. **Location and Component-wise break up:** Location details of the forest land proposed for renewal of FC lease is given below.

District, Taluk, Hobli	Village	Sy No.	Forest land proposed for diversion (ha)	Legal status of land
Chitradurga District Holalakere, Chitradurga, Hosadurga & Hiriyuru Taluk, Talya, Kasaba, Chitradurga, Madadhakere, Matthode, Javangondanahalli Hobli	Lakkiahalli	16,17	10.927	Recorded Forests
	Mykenahalli	1	1.322	Reserved Forests
	kattehole	1,2	6.868	
	Ittagehalli	47,53,100,101,103	62.685	Deemed Forests
	Haldyamanahalli	6,5,7	6.105	Reserved Forests
	Yelladakere	52,53,54,67	33.624	Deemed Forests
	Doddpur	10	12.86	Reserved Forests
	Kallehadlu	40	21.122	Jogimatti wild life sanctuary
	Thekalavatti	59,80,60	32.307	Reserved and Protected Forests
	Kolalu	112	0.846	Deemed Forests
	Yarehalli	15	9.014	Jogimatti wild life sanctuary
Neralkere	100,102	7.894		

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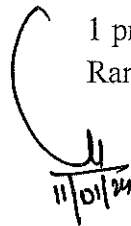
	Catchment area (Mallagondanahalli & Thirumalapura)	8, 10	16.256	Reserved Forests
Total			221.8	

Component-wise breakup of the forest land proposed for renewal of FC lease is given below.

Project Components		Forest land proposed for diversion (ha)
1	Platform area	46.818
2	Road	92.061
3	Road Curvature	7.756
4	Electric line	74.532
5	Vacuum Circuit Breaker (VCB) yard	0.542
6	Control room	0.091
Total		221.80

6. **DCF, Chitradurga Division Report:** The Deputy Conservator of Forests, Chitradurga Division has inspected the spot on 24-11-2020 and 25-11-2022 and has submitted the Site Inspection Report, the details of the area along with the recommendation in PART-II of the proposal vide Ref (6) to Chief Conservator of Forests, Ballari Circle. Main features of the proposal based on the DCF, Chitradurga Report r/w the report of the CCF, Ballari Circle and that of the ICT Centre of Forest Department are as follows.

- a. The forest land proposed for FC renewal is prone to soil erosion and fire.
- b. The forest land proposed for FC renewal is in general landscape of Eco-class-III (Moist Deciduous Forests) with a Canopy Density of 0.1 (Open Forest) in the area.
- c. As per Item 4 (ii) of PART-II, there are no trees to be felled on the forest land proposed for diversion.
- d. Major wild animals found in and around the area include the *Sloth bear*, *Leopard*, *Wild Boar*, *Spotted deer*, *Hare*, etc.
- e. There are no rare / endangered / unique species of flora and fauna reported around the forest land proposed for FC renewal.
- f. The forest land proposed for FC renewal the Global Investor Meet (GIM) 1 project site area -76.149 ha (Coming under Chitradurga and Holalkere Ranges) forests is completely within the Jogimatti Wildlife Sanctuary


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(Core and ESZ) while Vani Vilas Sagar (VVS) project site area is far away from Jogimatti Wildlife Sanctuary (Core and ESZ).

- g. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
- h. The forest area proposed for diversion is the bare minimum and unavoidable.
- i. **There is a violation reported under Forest (Conservation) Act, 1980, the user agency has utilized excess area and has deviated from the original area in the year 2005.**

7. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has inspected the proposed area personally on 20-11-2022 and vide Ref (7) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Chitradurga Division, the Chief Conservator of Forests, Ballari Circle has also recommended the proposal.
8. **Net Present Value (NPV):** The original lessee has paid an amount of Rs. 69,451,570/- (DD No. 338748 dated 13-04-2011 for Rs. 69,451,510/- and DD No. 061651 dated 13-04-20211 for Rs 60/-) towards Net Present Value for 221.8 ha of forest land diverted earlier. **The User Agency has submitted an Undertaking dated 02-08-2022 to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
9. **Compensatory Afforestation (CA):** As per Condition No. 2 (b) of the previous FC approval (Stage-II approval dated 02-04-2003) of the Government of India, Compensatory Afforestation shall be raised equivalent non-forest land (221.8 ha) at the cost of User Agency. Accordingly, the original lessee has paid an amount of Rs. 12,032.400/- (DD No. 020421 dated 08-11-2002) towards CA charges for 221.8 ha of non-forest land. The Details of Compensatory Afforestation land are identified by User Agency are given below:

Sl No	District, Taluk and Hobli	Village	Survey number	In Ha	Mutation Status and date	Whether notified as RF/PF/section 4 (Notification No and Date)
1	Chitradurga Holalkere Talya	Todarnal	16	28.33	21/2002-03, 24-02-2003	As per Govt Order No FEE 151 FAF 2013 dated 17-12-2013 declared as Section 4 notified area
2		Todarnal	17	100.78		
3		Todarnal	18	7.85		
4		Todarnal	19	2.91		
Sub Total			139.86 ha			
5	C	T. Nulenalur	46	11.76	21/2002-03, 24-02-2003	As per Govt Order No FEE 151 FAF 2013
6		T. Nulenalur	50	9.01		

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7		T. Nulenalur	51	13.07		dated 17-12-2013 declared as Section 4 notified area
		Sub Total		33.84 ha		
8		Yalkurnahalli	21	48.16	CA land Mutated vide order No. 01/2002-03 dated 03-09-2002	The Government of Karnataka vide order No FEE FAF 2023 dated 20-12-2023 has declared an extent of 47.57 Ha in Sy No.21 of Yelukurahalli Village, Aimangala Hobli, Hiriyyur Taluk, Chitradurga District as Protected Forest under section 33 of Karnataka Forest Act 1963
		Sub Total		48.16 ha		
Grand Total				221.8ha		

10. SMC Charges: The original lessee has paid an amount of Rs. 10,231,000/- (RTGS UBINH13168060096567585731/0090 DT 17-06-2013 for Rs. 10,00,000/- Out of Rs.25,00,000/- paid vide Receipt No.66 dated 17-06-2013 of CAMPA ledger A/c) towards SMC charges for 60 to 70 percent of diverted ha of forest land diverted earlier.

11. Medicinal Plantation Charges: As per Government of Karnataka order No FEE 139 FLL 2004 dated 24-09-2004 has additionally added 6 conditions out of that the Dwarf tree species and Medicinal Plant gardens is to be planted in available gaps in the wind farms at the cost of User Agency. However, the User Agency has not paid for the Dwarf tree species and Medicinal Plant gardens charges till date.

The User Agency has not paid the charges for Medicinal plants or Dwarf plants. As the intervening area has windmill components such as platform, transmission lines, Vacuum Circuit breaker yard, Control room, internal roads for repairs and maintenance and the area is very rocky & not suitable for plantations. Hence, Medicinal and Dwarf plantation are not raised on the Project site.

However, the User Agency has submitted an undertaking to take up the planation in future. The proceedings of the Meeting dated 04.04.2014 held under the Chairmanship of ACS (Forest Ecology & Environment Department), Government of Karnataka held to discuss issues relating to the plantation wherein it is stated that

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development of medicinal Plant Garden/ Planting of dwarf species of trees should be taken up wherever feasible (enclosed as Annexure-I).

12. RoFR Compliance: With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, **the user agency has not furnished the requisite certificate in FORM-II (for Non-Linear/Hybrid projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency is informed to obtain the said certificate in prescribed format and submit a copy.**

13. Forest land utilized vis -a-vis approved:

Forest land leased under FCA	Forest land utilized by user Agency		
	Within approved lease	Outside approved lease	Total
	176.528	45.272	221.80

- * *As per DCF Chitradurga Division report User agency has additionally utilized 35.082 ha of forest land within the approved area as deviation from the original land use.*

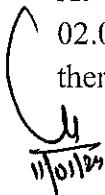
The User Agency has utilized only 176.528 ha of forest land inside the approved lease area out of 221.8 ha. the 45.272 ha of forest land has utilized outside the leased area.

14. Compliance of previous FC approval: The User Agency has uploaded the Condition wise compliance report in PART-I of the proposal uploaded through online.

15. Wildlife Clearance: The area was first constituted as Jogimatti State Forest by the Government, his Highness the Maharaja of Mysore vide Notification A.F 144-Ft-142-38-8 dated 8th July 1940 u/s 17 of Mysore Forest Act (XI of 1900) to an extent of 38.8 square mile or 10048.97 hectares or 100.48 square kilometres.

The forest has now been declared as Jogimatti Wildlife Sanctuary (WLS) vide notification no. FEE 77FWH 2015 Bangalore, dated 23rd December 2015 by the Forest Ecology and Environment Department, Government of Karnataka and its Eco-Sensitive Zone (ESZ) was declared vide MOEF&CC notification dated 17.12.2021.

At the time of grant of the Stage II Forest Clearance (F.no.8-84/2002 FC dated. 02.04.2003), the above mentioned Protected area status and ESZ declaration wasn't there. Also, the lease deed was signed between the Deputy Conservator of the


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Forests, Chitradurga Division and the lessee KREDL (Agreement no. 2/2003-04 dated 03.09.2003), for a period of 15 years and this was prior to declaration of reserve forest as a Jogimatti Wildlife Sanctuary.

The GIM 1 project site area-76.149 ha (Coming under Chitradurga and Holalkere Ranges) forests is completely within the Jogimatti Wildlife Sanctuary (Core and ESZ) while VVS project site area is far away from Jogimatti Wildlife Sanctuary (Core and ESZ). The User Agency will have to obtain the wildlife clearance for the proposal from the National Board for Wildlife. **The User Agency is being informed once again to obtain such wildlife clearance for the project.**

16. Additional Information: As per formal approval of Government of Karnataka order No FEE 99 FGL 2001 dated 20-06-2003 has put the condition No 11 i.e out of 11 WEGs proposed to be erected in Sy No. 16 and 17 of Lakkihalli Village 02 WEGs (No E 67 and E 68) which are facing the VVSD at chitradurga shall not be erected in order to prevent soil erosion affecting the VVSD. Further, a specific direction was issued to realign the road proposed for the access to remaining 09 WEG,s i.e E77 to E 69 from the aspect facing Vani Vilasa Sagara Dam (VVSD) to the other aspect of the ridge in above mentioned Survey No.s of Lakkihalli to prevent run off the soil to the reservoir. However, the User Agency has ignored this direction and executed the road in the originally proposed area in violation of the said conditions. In this regard Forest Offence case (FOC) is booked against User Agency on 11-12-2009.

Further, the issue of restarting the WEC,s the working of which was stopped by the Forest department , was discussed in the meeting dated 04-04-2014 held under the Chairmanship of the Additional Chief Secretary to Government, further, the Government of Karnataka vide letter dated 24-04-2014 permitted to start the stopped two windmills (WEC,s No E67 & 68) in the above project area that the User Agency shall pay penalty/fine if any that may be imposed by Government of India.

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to move the proposal to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi for according 'in-principle' (Stage-I) approval under the Van (Sanrakshan Evam Samvardhan). Adhinyam, 1980 for renewal of FC lease of 221.80 hectare of forest land in Jogimatti and Marikanive RF [Lakkihalli, Mykenahalli and nine (9) other villages] in Hosadurga, Hiruyuru, Holalakere and Chitradurga Taluks of Chitradurga District for already established Wind Power Project in favour of Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited [presently M/s Wind World (India) Limited] on BOT basis subject to change of name of the lessee from Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited [presently M/s Wind World (India) Limited] in the present proposal for a period of 30 years subject to submission of RoFR Compliance Certificate in FORM-II (for Non-Linear projects) and the conditions listed in Annexure 'A'. Appropriate penalty may be imposed for the encroachment and deviations carried out by the User Agency for violating Forest (Conservation) Act, 1980.

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The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful. The present status (Timeline) of the proposal obtained from the web-portal is also appended for necessary action.

Yours faithfully



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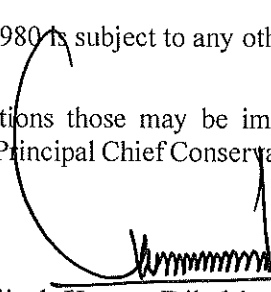
(Brijesh Kumar Dikshit IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Ballari Circle, Ballari for information and needful action.
2. Deputy Conservator of Forests, Chitradurga Division, Chitradurga for information and needful action.
3. M/s Wind World (India) Ltd, Wind World Tower, Plot No. 49, Veera Industrial area, Veera Desai Road, Andheri (West), Mumbai 400 053 for information and **with a request to obtain the requisite FRA Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and submit an attested copy (in 4 ink-signed sets).**

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory Plantation (CP) charges, cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.
3. User Agency shall provide chain link fence/boundary wall at its own cost all along the boundary of the forest area in consultation with the jurisdictional Deputy Conservator of Forests.
4. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
5. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
6. The lease out area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the lease.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste / debris generated shall be scientifically disposed of outside the forest area.
11. Any damage to forest area because of implementation of the proposal shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.


(Brijesh Kumar Dikshit IFS) 11/01/24
Principal Chief Conservator of Forests
(Head of Forest Force)

PART - IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks (While giving opinion, the adverse comments made by Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon.)	Recommended for moving to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi for according 'in-principle' (Stage-I) approval under the Van (Sanrakshan Evam Samvardhan). Adhiniyam, 1980 for renewal of FC lease of 221.80 hectare of forest land in Jogimatti and Marikanive RF [Lakkihalli, Mykenahalli and nine (9) other villages] in Hosadurga, Hiruyuru, Holalakere and Chitradurga Taluks of Chitradurga District for already established Wind Power Project in favour of Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited [presently M/s Wind World (India) Limited] on BOT basis subject to change of name of the lessee from Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited [presently M/s Wind World (India) Limited] in the present proposal for a period of thirty (30) years subject to submission of RoFR Compliance Certificate in FORM-II (for Non-Linear projects) and the conditions listed in Annexure 'A'. Appropriate penalty may be imposed for the encroachment and deviations carried out by the User Agency for violating Forest (Conservation) Act, 1980. FP/KA/WIND/43786/2020 [FORM-B]
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Signature:

Name:

Designation:

Counter signed by :

Name:

Designation:

N.D.O. No: /2022-23

Date: -01-2024


VIJAY SHARMA IFS

*Principal Chief Conservator of Forests
(Forest Conservation) and
Nodal Officer (FCA)*

(Official Seal):


BRIJESH KUMAR DIKSHIT IFS

*Principal Chief Conservator of Forests
(Head of Forest Force)*

(Official Seal):

